

JUL 20 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

Application of: Kolterman et al.

Group Art Unit: 1653

Confirmation No.: 2741

Atty Docket No: 249/146US

Serial No.: 09/889,330

Filed: December 27, 2001


For: Novel Exendin Agonist Formulations and Methods of Administration Thereof

Examiner: Samuel W. Liu

## FACSIMILE TRANSMISSION COVER SHEET

Certificate of Transmission Under 37 C.F.R. 1.8

I hereby certify that the following listed correspondence in the above referenced application is being transmitted by facsimile to the Commissioner for Patents, Washington DC to telephone number (703) 872-9306 on this 20th day of July, 2004.

  
Amanda Halverson

## Document

## No. of Pages

Transmittal Form (PTO/SB/21)

1

Response Under 37 C.F.R. 1.111

19

Total Number of Pages Transmitted (including this page)

---

21

Note: Each paper must have its own certificate of transmission, or this certificate must identify each paper submitted.

PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/889,330	
	Filing Date	December 27, 2001	
	First Named Inventor	Kolterman	
	Art Unit	1653	
	Examiner Name	Samuel W. Liu	
Total Number of Pages in This Submission	20	Attorney Docket Number	249/146US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply <i>19 pages</i>	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	James E. Butler, Reg. No. 40,931
Signature	<i>James E. Butler</i>
Date	July 20, 2004

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	Amanda Halverson
Signature	<i>Amanda Halverson</i>
Date	July 20, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

09/889,330

Atty. Docket No. 249/146US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Kolterman et al.

Group Art Unit: 1653

Serial No.: 09/889,330

Confirmation No.: 2741

Filed: December 27, 2001

For: Novel Exendin Agonist Formulations and Methods of Administration Thereof

Examiner: Samuel W. Liu

**OFFICIAL****RESPONSE UNDER 37 C.F.R. 1.111****RECEIVED  
CENTRAL FAX CENTER**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

JUL 20 2004

Sir:

In response to the Office action dated May 19, 2004, Applicants respectfully submit the following amendments and remarks in connection with the above-identified application.

**Amendments to the Specification** begin on page 2 of this response.

**Amendments to the Claims** are reflected in the listing of claims beginning on page 5 of this response.

**Remarks** begin on page 15 of this response.